

Judge John Dorsey

Phase I Reopening Hearing Procedures dated June 25, 2020

Except as set forth herein, the Court's General Chambers Procedures, Judge Dorsey's Chambers Procedures and other orders and procedures shall govern all procedural aspects of cases before the Court.

A. Manner of Hearings

1. Hearings before Judge Dorsey shall be held telephonically via CourtCall unless (i) the hearing is a first-day hearing; (ii) live witness testimony may be presented at the hearing either on direct, or on cross after introduction of a declaration or a proffer; (iii) as otherwise directed by the Court.
2. In the circumstances detailed in paragraph (1)(i)-(iii), hearings before Judge Dorsey shall be conducted telephonically via CourtCall and by video via Zoom unless directed by the Court that a hearing will be held in-person at the courthouse.
 - a. For first day hearings, counsel for the Debtors shall contact Mr. Cavello, Judge Dorsey's Courtroom Deputy, for the Zoom meeting information and password.
 - b. For all other hearings, counsel for the Debtors should work with all movants and objecting parties to determine whether live witness testimony will be necessary and indicate such on the agenda or, if reasonably possible, prior thereto. Following receipt of the agenda, Mr. Cavello will provide the Zoom meeting information and password for inclusion on an amended agenda.
 - c. Once the Zoom meeting information and password are received by the Debtors, **the following should be placed on the hearing agenda and amended hearing agenda** as applicable:

This hearing will be held telephonically via CourtCall and, in certain circumstances, by video via Zoom. **All** parties wishing to appear must do so telephonically by contacting CourtCall, LLC at 866-582-6878. Only those parties that will be addressing the Court should appear by video via Zoom in addition to their CourtCall registration.

**YOU MUST USE YOUR FULL NAME WHEN LOGGING ONTO ZOOM
OR YOU WILL NOT BE ALLOWED INTO THE MEETING.**

**PLEASE NOTE THAT MICROPHONES ON THE ZOOM MEETING WILL
BE MUTED AND THE ONLY AUDIO WILL BE THROUGH COURTCALL.**

[Insert Zoom Meeting Information]

- d. During a hearing held via telephone and video, no party shall address the Court via Zoom as all audio will be through CourtCall. Additionally, access to Zoom will be locked to new participants 10 minutes after the start of the hearing. Those wishing to join after this time will need to contact chambers for admittance.
 3. As a reminder, telephonic and video hearings are official court proceedings. Disruptions may result in removal from the hearing.
 4. In-person hearings shall be minimized and limited to critical cases only. Counsel may make a request to the Court for an in-person hearing. Requesting counsel shall explain why it believes the hearing should be in-person, represent that it previously notified all relevant parties of the request, and indicate whether such parties have consented to the request.
 5. Persons appearing by video via Zoom are expected to appear in appropriate courtroom attire.
- B. Certain Procedures for Non-In-Person-Hearings
1. Presentation of Revised Proposed Orders – If a movant intends to present a proposed form of order to the Court that contains revisions to the original proposed form of order submitted with its motion, counsel for the movant shall endeavor to provide to the Court the revised form of order in clean and redline form at least 1 hour prior to the hearing.
 2. Presentation of Live Witness Testimony – A party sponsoring a witness or witnesses must provide by email to all relevant parties and the Court as soon as possible, but no later than 2 hours prior to the hearing, the following for each witness:
 - a. The name of the witness and the relevant motion for relief.
 - b. Whether in the first instance direct testimony of the witness will be presented by declaration or proffer. If by declaration when such declaration will be filed. Please note that if the witness will submit a declaration, the declaration should be available to the witness during testimony.
 - c. The location of the witness (city, state, country).
 - d. A description of the place from which the witness will be testifying (e.g., “home”, “office” – specific addresses shall not be provided).
 - e. Whether anyone will be in the room with the witness during his/her testimony and, if so, who (name/title/relationship to witness) and for what purpose.
 - f. Whether the witness will have any documents with him/her and, if so, what documents.

- g. The party or parties who may seek to cross examine the witness and their respective counsel.

3. Presentation of Documentary Evidence

- a. All parties intending to introduce documentary evidence must supply a list of exhibits with reference to the applicable CM/ECF docket number. If an exhibit is not on the docket, please supply such exhibit by email (in .pdf format) to all relevant parties and to the Court as soon as possible, but no later than 2 hours before the hearing.
- b. If necessary, the party sponsoring a witness will be responsible for ensuring that any relevant exhibits are supplied to the witness ahead of the hearing.